

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

ALAN DALE CANARY,

Plaintiff,

versus

SR. WARDEN VILLALOBOS, *et al.*,

Defendants.

CIVIL ACTION NO. 9:25-CV-59

**MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Alan Dale Canary, proceeding *pro se*, filed this civil rights lawsuit. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that the case be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). To date, the parties have not filed objections.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the magistrate judge are correct.

Accordingly, the Report and Recommendation of United States Magistrate Judge (#6) is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 14th day of May, 2025.

Maria A. Crone

MARICIA A. CRONE
UNITED STATES DISTRICT JUDGE